



14<sup>th</sup> December 2015

Our ref: NIC-00084-Z2C9T

Dear Dr Bhatia,

**Re: Information Request – Freedom of Information Act (FOIA) 2000**

I can confirm that the Health and Social Care Information Centre (HSCIC) has considered your request dated the 16<sup>th</sup> November 2015.

*Is the extraction and uploading of this dataset simply still care.data, albeit with an "updated" dataset, or will this proposal be an additional, parallel, extraction of data, out with the care.data programme, for a different project ?*

There will be a single national GP dataset which would therefore replace the dataset as currently defined for the care.data pathfinder stage. The dataset will support a range of aims, including care.data.

*Please could you provide me with the Privacy Impact Assessment that you (must) have undertaken regarding such an extended dataset (unless you are relying on the care.data PIA - if so, please say so)*

The care.data programme published a Privacy Impact Assessment (<https://www.england.nhs.uk/wp-content/uploads/2014/01/pia-care-data.pdf>) in January 2014. This is being updated to reflect changes made to the programme during 2014 and 2015 and will be finalised following the National Data Guardian review of the model of consent and opt out. This will then be published. The Privacy Impact Assessment will continue to be updated as needed.

*Please can you confirm that patients in England will have the right to object to the extraction and uploading of their data, as defined by this dataset, for the (secondary) purposes that their PCD will be processed for?*

*Assuming NHS England and the HSCIC intend to respect such an objection, please can you confirm that patients who have already objected to their GP about the extraction and uploading of their data for secondary purposes - that is, the addition of the 9Nu0/XaZ89 read code to prohibit, for example, care.data and the National Diabetes Audit - can be reassured that their data automatically will not be uploaded for the purposes intended by this proposed "single national GP dataset".*

*Or will patients who have already requested that their GP add the 9Nu0/XaZ89 read code to their record be required to to opt-out, yet again, with yet another, different read code?*

The Health Secretary announced a number of measures to assure the security of confidential medical information during his speech at the Health and Care Innovation Expo on the 2<sup>nd</sup> September 2015. This included a review of standards of data security for patients' confidential data across the NHS to be carried out by the Care Quality Commission (CQC).

The National Data Guardian for health and care, Dame Fiona Caldicott, is contributing to this review by developing clear guidelines for the protection of personal data against which every NHS and care

organisation will be held to account. She is providing advice on the wording for a new model of consents and opt-outs to be used by the health and care system.

The consultation will not be launched until after Dame Fiona's review which will provide advice on a new model of consents and opt-outs which will be applied to this data collection.

In line with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log. Therefore, a version of our response which will protect your anonymity will be posted on the HSCIC website.

I trust you are satisfied with our response to your request for information. However, if you are not satisfied, you may request a review from a suitably qualified member of staff not involved in the initial query, via the [enquiries@hscic.gov.uk](mailto:enquiries@hscic.gov.uk) e mail address or by post at the above postal address.

I will assume that your request to the organisation is now closed.

Yours sincerely,

**Jessica Davenport**  
**Higher Information Governance Officer**

Further information about your right to complain under the Freedom of Information Act is available from the Information Commissioner's Office, Wilmslow, Cheshire, and on The Information Commissioner's website [www.ico.org.uk](http://www.ico.org.uk).

The Health and Social Care Information Centre values customer feedback and would appreciate a moment of your time to respond to our Freedom of Information (FOI) Survey to let us know about your experience. Please access the survey through this link

[https://www.surveymonkey.com/s/HSCIC\\_FOI\\_Feedback](https://www.surveymonkey.com/s/HSCIC_FOI_Feedback)